

# OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

*Edited by*

**FRANCIS HEMMING, C.M.G., C.B.E.**  
Secretary to the Commission

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## OPINION 430

Use of the Plenary Powers for the purpose of making the specific name *minimus* Miller (J.S.), 1826, as published in the combination *Belemnites minimus*, the oldest available name for the species concerned (Class Cephalopoda, Order Dibranchia)

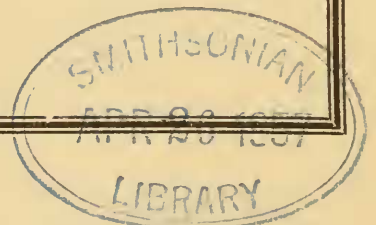
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# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

## COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 430

### A. The Officers of the Commission

*Honorary Life President* : Dr. Karl JORDAN (*British Museum (Natural History), Zoological Museum, Tring, Herts, England*)

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*President* : Professor James Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*)  
(12th August 1953)

*Vice-President* : Senhor Dr. Afranio do AMARAL (*Sao Paulo, Brazil*) (12th August 1953)

*Secretary* : Mr. Francis HEMMING (*London, England*) (27th July 1948)

### B. The Members of the Commission

(*Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology*)

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)  
(1st January 1947)

Senor Dr. Angel CABRERA (*La Plata, Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (27th July 1948) (*Secretary*)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

Professor Teiso ESAKI (*Kyushu University, Fukuoka, Japan*) (17th April 1950)

Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh RILEY (*British Museum (Natural History), London*) (9th June 1950)

Professor Tadeusz JACZEWSKI (*Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a.M., Germany*) (5th July 1950)

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950)

Senhor Dr. Afranio do AMARAL (*S. Paulo, Brazil*) (12th August 1953) (*Vice President*)

Professor J. R. DYMOND (*University of Toronto, Toronto, Canada*) (12th August 1953)

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Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*)  
(12th August 1953)

Professor Béla HANKÓ (*Mezőgazdasági Múzeum, Budapest, Hungary*) (12th August 1953)

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. SYLVESTER-BRADLEY (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*)  
(12th August 1953)

Dr. K. H. L. KEY (*Commonwealth Scientific and Industrial Research Organisation, Canberra, A.C.T., Australia*) (15th October 1954)

Dr. Alden H. MILLER (*Museum of Vertebrate Zoology, University of California, U.S.A.*)  
(29th October 1954)

Doc. Dr. Ferdinand PRANTL (*Národní Museum v Praze, Prague, Czechoslovakia*) (30th October 1954)

Professor Dr. Wilhelm KÜHNELT (*Zoologisches Institut der Universität, Vienna, Austria*)  
(6th November 1954)

Professor F. S. BODENHEIMER (*The Hebrew University, Jerusalem, Israel*) (11th November 1954)

Professor Ernst MAYR (*Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria," Genova, Italy*)  
(16th December 1954)

## OPINION 430

USE OF THE PLENARY POWERS FOR THE PURPOSE  
OF MAKING THE SPECIFIC NAME "MINIMUS"  
MILLER (J.S.), 1826, AS PUBLISHED IN THE  
COMBINATION "BELEMNITES MINIMUS"  
THE OLDEST AVAILABLE NAME FOR THE  
SPECIES CONCERNED (CLASS CEPHALOPODA,  
ORDER DIBRANCHIA)

**RULING** :—(1) Under the Plenary Powers the specific name *listeri* Mantell, 1822, as published in the combination *Belemnites listeri* is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name Number 359 : *listeri* Mantell (G.A.), 1822, as published in the combination *Belemnites listeri*, as suppressed under the Plenary Powers under (1) above.

(3) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name Number 1043 : *minimus* Miller (J.S.), 1826, as published in the combination *Belemnites minimus* (Class Cephalopoda, Order Dibranchia).

### I. THE STATEMENT OF THE CASE

On 1st March 1954 Professor H. H. Swinnerton (*Nottingham, England*) submitted to the International Commission on Zoological Nomenclature the following request for the suppression under the Plenary Powers of the specific name *listeri* Mantell, 1822, as

published in the combination *Belemnites listeri* (Class Cephalopoda, Order Dibranchia) for the purpose of securing that the specific name *minimus* Miller (J.S.), 1826, as published in the combination *Belemnites minimus*, shall be the oldest available specific name for the taxon concerned :—

**Proposed use of the Plenary Powers for the purpose of validating the specific name “*minimus*” Miller (J.S.), 1826, as published in the combination “*Belemnites minimus*” (Class Cephalopoda, Order Dibranchia)**

By H. H. SWINNERTON, D.Sc.

(Nottingham, England)

The name *Belemnites minimus*, or more recently *Neohibolites minimus*, is in general current use for a belemnite of widespread and common occurrence in the Gault and Red Chalk (Cretaceous, Albian) of England and Northwest Europe. The name is also used eponymously in stratigraphical geology, e.g. the *minimus* Marls of Speeton, Yorkshire; the “argiles à *minimus*” of France; the “*minimus* Thon” of Northwest Germany. The species is further one of the standard fossils used in teaching palaeontology to students.

2. The name *Belemnites minimus* is commonly attributed to Martin Lister, but his usage (1678 : *Historia animalium Angliae* : 227, pl. xxvii, fig. 32) was pre-Linnean and polynominal. He was describing a species from the Red Chalk of Lincolnshire which is the same as that for which the name is now used.

3. The first available name given to this species is *Belemnites listeri* G. A. Mantell (1822 : *The Fossils of the South Downs ; or Illustrations of the Geology of Sussex* : 88, pl. xix, figs. 17, 18, 23). The combination *Belemnites minimus* was first used binominally four years later by J. S. Miller (1826, *Trans. geol. Soc. Lond.* (2) 2 : 62, pl. ix, fig. 6), who cited *B. listeri* Mantell in his synonymy. *B. minimus* Miller and *B. listeri* Mantell are thus synonymous names for one species and they are so accepted by specialists.

4. Although there has recently been an increasing tendency for *B. listeri* Mantell to be adopted, the name *B. minimus* has been used in 48 out of 57 post-Linnean references to the species quoted by von Bülow-Trummer (1920 : *Fossilium Catalogus* I, part 11 : 159). It is



quoted as *B. listeri* in six of these references and in two as *B. attenuatus* Sowerby (J. de C.). A well-known work of reference on dibranchiate cephalopods also uses the specific name *minimus* (Naef (A.), 1926, *Die Fossilen Tintenfische*, Jena : 255).

5. In view of this evidence for the preponderant usage of the specific name *minimus*, it is held desirable that this name (as published in the combination *Belemnites minimus* by Miller (J.S.), 1826) should be stabilised as the name to be used for this common fossil species. It is therefore requested that the International Commission on Zoological Nomenclature should :—

- (1) use its Plenary Powers for the purpose of suppressing the specific name *listeri* Mantell, 1822, as published in the combination *Belemnites listeri*, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (2) place the specific name *listeri* Mantell, 1822, as published in the combination *Belemnites listeri* and as proposed, in (1) above, to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Specific Names in Zoology* ;
- (3) place the specific name *minimus* Miller (J.S.), 1826, as published in the combination *Belemnites minimus*, on the *Official List of Specific Names in Zoology*.

## II. THE SUBSEQUENT HISTORY OF THE CASE

**2. Registration of the present application :** Upon receipt of Professor Swinnerton's application the question whether the specific name *minimus* Miller, 1826, as published in the combination *Belemnites minimus*, should be validated in such a way as to become the oldest available specific name for the taxon concerned was allotted the Registered Number Z.N.(S.) 823.

**3. Publication of the present application :** The present application was sent to the printer on 13th April 1954 and published on 22nd October of the same year in Part 9 of Volume 9 of the *Bulletin of Zoological Nomenclature* (Swinnerton, 1954, *Bull. zool. Nomencl.* 9 : 284—285).

**4. Issue of Public Notices :** Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* **4** : 51—56), Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 22nd October 1954 (a) in Part 9 of Volume 9 of the *Bulletin of Zoological Nomenclature* (the Part in which Professor Swinnerton's application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to certain general zoological serial publications and to a number of palaeontological serials in Europe and America.

**5. Support received :** On 30th November 1954, Mr. C. W. Wright (*London*) addressed to the Commission the following letter in support of the present application (Wright, 1954, *Bull. zool. Nomencl.* **9** : 350) :—

From the points of view both of palaeontology and of Cretaceous stratigraphy I should like to give strong support to Professor Swinnerton's application for the use of the Plenary Powers to validate the specific name *minimus*, as published in the combination *Belemnites minimus*.

**6. No objection received :** The publication of the present application elicited no objection from any source.

### III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

**7. Issue of Voting Paper V.P.(55)6 :** On 27th May 1955, a Voting Paper (V.P.(55)6) was issued in which the Members of the Commission were invited to vote either for, or against "the proposal relating to the specific name *minimus* Miller (J.S.), 1826, as published in the combination *Belemnites minimus*, as set out in Points (1) to (3) in paragraph 5 at the foot of page 284 and continued on page 285 of Volume 9 of the *Bulletin of Zoological Nomenclature*" [i.e. in paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

**8. The Prescribed Voting Period :** As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 27th August 1955.

**9. Particulars of the Voting on Voting Paper V.P.(55)6 :** At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(55)6 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-five (25) Commissioners (arranged in the order in which Votes were received) :*

Bodenheimer ; Holthuis ; Stoll ; Vokes ; Hering ;  
Esaki ; do Amaral ; Mayr ; Kühnelt ; Dymond ;  
Tortonese ; Hankó ; Bradley (J.C.) ; Lemche ; Cabrera ;  
Prantl ; Riley ; Key ; Bonnet ; Jaczewski ; Hemming ;  
Mertens ; Sylvester-Bradley ; Miller ; Boschma ;

(b) *Negative Votes :*

None ;

(c) *Voting Papers not returned :*

None.

**10. Declaration of Result of Vote :** On 17th October 1955, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P. (55)6, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

**11. Preparation of the Ruling given in the present “ Opinion ” :** On 16th May 1956, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate

that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(55)6.

**12. Original References :** The following are the original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

*listeri*, *Belemnites*, Mantell (G.A.), 1822, *Foss. South Downs* : 88, pl. xix, figs. 17, 18, 23

*minimus*, *Belemnites*, Miller (J.S.), 1826, *Trans. geol. Soc. Lond.* (2) 2 : 62, pl. ix, fig. 6

**13.** The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

**14.** The present *Opinion* shall be known as *Opinion* Four Hundred and Thirty (430) of the International Commission on Zoological Nomenclature.

DONE in London, this Sixteenth day of May Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission  
on Zoological Nomenclature*

**FRANCIS HEMMING**